

~~ORIGINAL~~

Attorney Docket No. 002376.0851

JOINT DECLARATION FOR PATENT APPLICATION

As the below named inventors, we hereby declare that:

COPY

Our residences, post office addresses and citizenship are as stated below next to our names:

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MACROSCOPICALLY MANIPULABLE NANOSCALE DEVICES MADE FROM NANOTUBE ASSEMBLIES

the specification of which:

- [] is attached hereto.
[] was filed on _____ as application serial number _____ and, if applicable, was amended on _____
[X] was filed as International (PCT) application No. PCT/US97/13896, on AUGUST 8, 1997, and was amended in accordance with Article 34 (PCT) as shown in the International Preliminary Examination Report dated _____.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

Prior Foreign Application(s)

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| Country | Application Number | Date of Filing (day, month, year) | Date of Issue (day, month, year) | Priority Claimed Under 35 U.S.C. 119 Yes [] No [] |
|---------|--------------------|--------------------------------------|-------------------------------------|---|
| | | | | |

Prior Provisional Application(s)

We hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

| Application Serial Number | Date of Filing (month, day, year) | Additional provisional application numbers are listed on a supplemental priority sheet attached hereto. |
|---------------------------|--------------------------------------|---|
| 60/023,732 | August 6, 1996 | |
| | | |

Prior United States Application(s)

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of

Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| Application Serial Number | Date of Filing (day, month, year) | Status - Patented, Pending, Abandoned |
|---------------------------|--------------------------------------|--|
| | | |
| | | |
| | | |

And we hereby appoint, both jointly and severally, as our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith the following attorneys, their registration numbers being listed after their names:

Jerry W. Mills, Registration No. 23,005; Scott F. Partridge, Registration No. 28,142; Rodger L. Tate, Registration No. 27,399; James Remenick, Registration No. 36,902; Laurence H. Posorske, Registration No. 34,698; James B. Arpin, Registration No. 33,470; Steven P. Klocinski, Registration No. 39,521; Andrew D. Skale, Reg. No. P-44,338; William F. Nixon, Reg. No. P-44,262; Floyd B. Chapman, Registration No. 40,555; Robert A. King, Registration No. 42,738.

All correspondence and telephone communications should be addressed to: Laurence H. Posorske, Esq., Baker & Botts, L.L.P.; The Warner, Suite 1300; 1299 Pennsylvania Avenue, N.W.; Washington, D.C. 20004-2400; (202) 639-7700, which is also the address and telephone number of each of the above listed attorneys.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

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